IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 16627 of 2006(D)

PETITIONERS:
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1. **E.K.SURENDRAN, AGED 36 YEARS, SWEEPER, TALUK HEAD QUARTERS HOSPITAL, MUVATTUPUZHA, ERNAKULAM DISTRICT.**

2. **PARUKKUTTY NARAYANAN, AGED 51 YEARS, SWEEPER, TALUK HEAD QUARTERS HOSPITAL, MUVATTUPUZHA, ERNAKULAM DISTRICT.**

3. **SUMATHI O.K., AGED 38 YEARS, SWEEPER, TALUK HEAD QUARTERS HOSPITAL, MUVATTUPUZHA, ERNAKULAM DISTRICT.**

4. **MALLIKA C., AGED 38 YEARS, SWEEPER, TALUK HEAD QUARTERS HOSPITAL, MUVATTUPUZHA, ERNAKULAM DISTRICT.**

5. **REMANI K.G., AGED 37 YEARS, SWEEPER, TALUK HEAD QUARTERS HOSPITAL, MUVATTUPUZHA, ERNAKULAM DISTRICT.**

BY ADV. SRI.M.SASINDRAN,
SRI.TOJAN J. VATHIKULAM.

RESPONDENTS:
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1. **DIRECTOR OF HEALTH SERVICES, THIRUVANANTHAPURAM.**

2. **THE DISTRICT MEDICAL OFFICER, ERNAKULAM.**

W.P.(C). NO.16627/2006:

3. **THE SUPERINTENDENT,**
   TALUK HEAD QUARTERS HOSPITAL,
   MUVATTUPUZHA, ERNAKULAM DISTRICT.

4. **STATE OF KERALA, REP. BY ITS SECRETARY**
   TO GOVERNMENT, DEPARTMENT OF HEALTH,
   SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PELADER SRI. P. NANDAKUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/05/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.16627/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE INTERIM ORDER IN W.P.(C). NO. 33151/2004 DTD. 15/11/2004.

EXT.P.2: COPY OF THE JUDGEMENT IN W.A. NO. 1863/2004 AND CONNECTED CASES.

EXT.P.3: COPY OF THE JUDGEMENT DTD. 22/11/2005 IN W.P.(C). NO. 33151/2004.

EXT.P.3.A: COPY OF THE JUDGEMENT IN W.P.(C). NO. 31012/2003 DTD. 09/09/2005.

EXT.P.4: COPY OF THE GOVERNMENT ORDER DTD. 25/11/2005.

RESPONDENT'S EXHIBIT:

EXT.R3.A: COPY OF THE CERTIFICATE ISSUED BY THE ASSISTANT ENGINEER, P.W.D. BUILDING SECTION, MUVATTUPUZHA DTD. 17/05/2007.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.16627 of 2006-D

Dated this the 30th day of May, 2007

J U D G M E N T

The petitioners are part-time-Sweepers, working under the respondents. They submit, they were working for the last several years, under the third respondent. In terms of Ext.P4 Government Order, issued recently, they are eligible to be considered for regularisation, it is submitted. Pursuant to the interim order of this Court, Ext.R3 (a) report has been filed by the Assistant Engineer, PWD, Building Section, Muvattupuzha measuring the sweeping area of the buildings housing the establishment, under the third respondent. The petitioners submit, in view of the said report, they are eligible to be considered for regularisation.

2. I heard the learned Government Pleader for the respondents also. The respondents do not dispute the eligibility of the petitioners to be considered for regularisation, in terms of Ext.P4 order. Accordingly, the third respondent is directed to forward the proposal concerning regularisation of the petitioners, to the 4th respondent, within one month from the date of production of a copy of this judgment. Upon receipt of the said proposal, the 4th respondent shall

pass final orders, in accordance with law, within three months from the date of receipt of the same. The petitioners shall be retained in service until the matter is decided by the Government. Thereafter, their continuance will depend upon the decision of the Government.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS